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7 *Albert P. Mendiola, Jr.,*

FILED
DISTRICT COURT OF GUAM
JAN 24 2007
MARY L.M. MORAN
CLERK OF COURT

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE TERRITORY OF GUAM**

10 UNITED STATES OF AMERICA,)

CRIMINAL CASE NO.: 05-00011

11 Plaintiff,)

12 vs.)

SUPPLEMENTAL SUBMISSION

13 ALBERT P. MENDIOLA, JR.,)

14 Defendant.)

15
16 **SUPPLEMENTAL SUBMISSION**

17 COMES NOW, Defendant, Albert P. Mendiola, Jr., by and through his undersigned legal
18 counsel, Mark S. Smith, Esq. and hereby submits a true and correct copy of recommendation letter
19 of Dr. Claire K. Ashe, Medical Director of Marianas Clinic and request it supplement the Sentencing
20 Memorandum previously submitted to the Court.
21

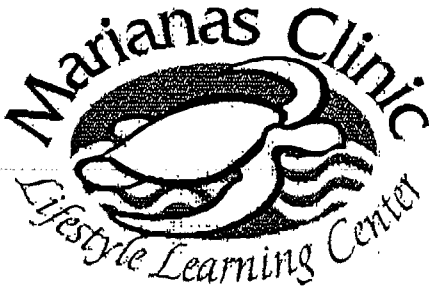
22 Dated this 24th day of January, 2007.

23 Respectfully submitted,

24
25 By:



26 **MARK S. SMITH, ESQ.**
27 Attorney for Defendant,
28 *Albert P. Mendiola, Jr.*



199 Chalan San Antonio, Ste 375
Tamuning, Guam 96913-3529
Phone: (671) 646-7972
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To: Law Office of Mark Smith

From: Marianas Clinic

Attention: Mark Smith, Esq.

Fax: 477-8831

Pages: 3 (including cover)

Phone: 47-6631/2

Date: 01/24/07

Re: Treatment Summary of mutual client

CC: File

☐ **Urgent**

☒ **For Review**

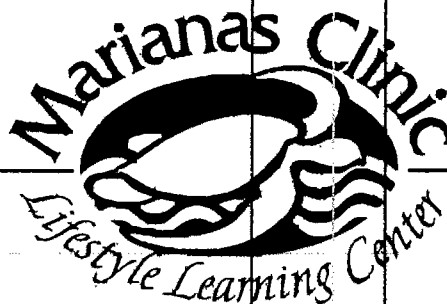
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• **Message**

Please see attached.

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January 19, 2007

Mark Smith, Esq.
456 West O'Brien Drive
Hagatna, Guam 96910

VIA FACSIMILE

Re: **Mendiola, Albert Jr.**
DOB: 12/03/82

Mr. Smith,

This letter is being written at your request with Mr. Albert P. Mendiola Jr.'s consent regarding Mr. Mendiolas' evaluation and treatment at Marianas Clinic.

Mr. Mendiola was initially seen at Marianas Clinic secondary to complaint of "depression" as manifested by depressed mood, loss of appetite with weight loss, obsessive thinking, interrupted sleep pattern resulting in poor sleep over an extended time period, lack of motivation, and physical discomfort secondary to stress related muscle tightness. Mr. Mendiola acknowledged that the difficulties were secondary to legal proceedings. He recognized that some of his feelings were normal to some extent. He initially minimized any history of substance use/abuse, and focused mainly on the effect of the current circumstances on his family. It should be noted that within the context of his treatment sessions, he has always taken responsibility for his actions and the illegal nature of his activities; however, he has consistently denied participating to the extent that his brother had reported. He identifies this "betrayal" as one of the sources of his depression.

Mr. Mendiola has repeatedly expressed remorse regarding his activities, though he mitigates it at times stating that this was partially due to his drug use during the time of the reported activities. It should be noted, however, that he takes responsibility for his drug use. An evaluation of his drug use prior to and during the time of the reported activities revealed that he was a polysubstance abuser. He denies current substance use other than nicotine and also stated that his urine drug tests were negative on four different occasions.

His current diagnoses are: I: Major Depression, single episode, without psychosis,
moderate
Polysubstance Abuse
II: Deferred
III: None

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Mr. Mendiola has been treated with antidepressant medication as well as supportive and cognitive behavioral therapy. His depressive symptoms appear to have subsided significantly, and he does not appear to be obsessing as intensely regarding the many issues he is currently facing.

Prognosis is fair. Mr. Mendiola appears to recognize the nature of his activities and also appears to be truly remorseful of his actions, to include getting involved in substance use. He readily admitted easily being influenced by others and that this has been detrimental in several settings in the past. He appears to be motivated to participate in a program which will assist him to permanently discontinue his substance use.

Recommendations at this time include continuation of his medication regimen as well as continued supportive and cognitive behavioral therapy. Additionally, he would benefit from at least a substance abuse education program in which he would learn about the different facets of substance abuse. If he qualifies for a substance abuse rehabilitation program, he would most likely benefit from it as well.

If there are any questions or concerns regarding this matter, please do not hesitate to contact me at 646-7972.

Sincerely,



Claire K. Ashe, M.D.
Medical Director